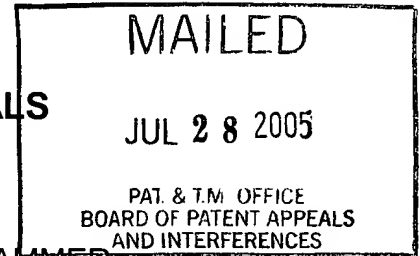


UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**



Ex parte GUNTER HALMSCHLAGER, FRANZ STELZHAMMER,
ERICH BRUNNAUER, MANFRED GLOSER, MANFRED FEICHTINGER,
THOMAS NAGLER, JOHANNES STIMPFL, JOSEF BACHLER
and CHRISTOPH MERCKENS

Application No. 09/646,119

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on May 3, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

The following reference is missing:

Smook, Gary A. Handbook for Pulp & Paper Technologist, second edition, pp 245-247.

This reference is needed to process this appeal.

Also it appears that on pages 6 & 7 of the Examiner's Answer, the Examiner is applying the reference of Smook in the rejection wherein this reference does not appear

Application No. 09/646,119

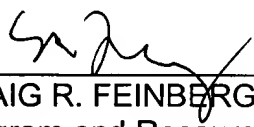
to have been previously applied. If such is the case, then the Examiner needs to present a revised examiner's Answer with an approved new ground of rejection, which includes the reference of Smook.

Accordingly, it is

ORDERED that the application is returned to the Examiner to provide a copy of the above reference, present a revised Examiner's Answer and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: _____


CRAIG R. FEINBERG
Program and Resource Administrator
(571) 272-9797

cc: Greenblum & Bernstein, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191

KRJ/eld